

Appl. No.: 09/642,538

Filed: August 18, 2000

Page 7**REMARKS**

This Amendment is filed in response to the Office Action dated June 6, 2005. With regard to the Office Action, Applicants note with appreciation the Examiner's continued thorough examination of the application. Applicants also note with appreciation the Examiner's indication that Claims 3-4, 13 and 19 would be allowable if rewritten in independent form. In response to the Office Action, Applicants have amended Claims 1, 13, 19, and 23 and have cancelled Claims 11, 12, 14, 18, 20, and 21. Following these amendments, the Application includes Claims 1-10, 13, 19 and 22-26. Applicants respectfully submit that all of the claims of the application are patentable over the cited references. Applicants, therefore, request reconsideration and allowance of the claims in light of the following remarks.

Claim 1-10

Claim 1 is an independent claim from which Claims 2-10 depend. Claim 1 recites, among other things, electronics "configured to monitor and determine a condition of the printer, and thereafter transmit data corresponding to the condition in either a XML or HTML format to a remote location independent from any solicitation from the remote location over at least one of an Intranet, the Internet and a wireless communication network..."

The Office Action rejected Claims 1-2 and 5-10, under 35 U.S.C. §103(a), as being unpatentable over Kraslavsky et al. (Kraslavsky) (U.S. Patent No. 5,537,626) in view of Ramberg et al. (Ramberg) (U.S. Patent No. 6,857,013). The Office Action alleges that Kraslavsky discloses a printer that includes electronics "configured to determine a condition of the printer, and thereafter automatically transmit data corresponding to the condition..." Applicants respectfully disagree.

The present Amendment is intended to clarify the nature of the transmission of data corresponding to the condition of the printer. In particular, the monitoring, determination, and transmission of the printer occurs without any solicitation from a remote location. The advantage over the prior art is not requiring a proactive monitoring of the printer by the remote location. Therefore someone like an IT manager would be alerted to a potential problem with

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the printer without requiring the IT manager to actively monitor the printer. (Please see page 4 of the Application.)

In contrast, Kraslavsky discloses a "Network Expansion Board" or "NEB" coupled to a printer. The NEB is capable of "current status and daily statistics of printer 4 at midnight of each day." (Kraslavsky, Col. 45, Lines 3-5) The daily statistics do include ERROR logging levels. (Col. 45, Lines 50-51) However this information is stored within the printer. (Col. 46, Lines 34-35) Furthermore, the Applicants failed to find any disclosure, within Kraslavsky, pertaining to sending this information unsolicited to a remote location. One could argue that the NEB is a remote location to the printer or printers. However, the information about the printer is gathered because of queries from the NEB. (Col. 45, Line 53) Therefore, Applicants submit that Kraslavsky does not disclose a printer configured to transmit unsolicited printer condition data as recited in Claim 1.

In light of the above, Applicants respectfully submit that independent Claim 1, as well as the claims that depend therefrom, are patentable.

Claims 11-14

Claims 11 and 12 are cancelled by this amendment.

The Examiner indicated that Claim 13 would be allowable if rewritten in independent form including all of the recitations of the base claim and any intervening claims. Accordingly, Claim 13 has been amended such that it is in independent form and includes the recitations of Claim 11.

Claims 18-21

Claims 18, 20 and 21 are cancelled by this amendment.

The Examiner indicated that Claim 19 would be allowable if rewritten in independent form including all of the recitations of the base claim and any intervening claims. Accordingly,

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Claim 19 has been amended such that it is in independent form and includes the recitations of Claim 18.

Claim 22

Claim 22 is an independent claim directed to a method of updating a printer with regard to barcode rendering algorithms. Claim 22 generally includes providing a printer capable of receiving a barcode rendering algorithm over an Intranet, Internet, or wireless network; posting a barcode rendering algorithm on the Internet; and downloading the algorithm and forwarding it to the printer over the an Intranet, Internet, or wireless network.

The Office Action rejected Claim 22, under 35 U.S.C. §103(a), as being unpatentable over Kraslavsky in view of Ramberg. However, in the remarks of the Office Action, Claim 22 was rejected by generally citing only to Kraslavsky.

Applicants failed to find any disclosure regarding barcodes, algorithms, the Internet, and downloads in Kraslavsky. The Applicants submit that even the combination of Kraslavsky and Ramberg fail to disclose every element of Claim 22 and, thus, Claim 22 is patentable over such a combination.

Claims 23 and 24

Claim 23 has been amended to include additional commas in order to clarify the steps. Claim 24 depends from Claim 23.

Claim 23 is an independent claim directed to a method of cloning a plurality of printers. Claim 23 includes the steps of uploading from one printer, in a network, data corresponding to settings of the printer and downloading that data over the network to a plurality of printers in the network.

The Office Action rejected Claim 23, under 35 U.S.C. §103(a), as being unpatentable over Kraslavsky in view of Ramberg. However, in the remarks of the Office Action, Claim 23 was rejected by generally citing only to Kraslavsky.

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Applicants failed to find any disclosure in either Kraslavsky or Ramberg regarding cloning and in particular uploading data from one printer and downloading that data to other printers on a network. The Applicants submit that even the combination of Kraslavsky and Ramberg fails to disclose every element of Claim 23. Therefore, Claim 23, as well as Claim 24, are patentable over such a combination.

Claims 25 and 26

Claim 25 is an independent claim from which Claim 26 depends. Claim 25 recites electronics of a printer configured to determine a condition of the printer and "transmit the data corresponding to the condition in a format displayable to an operator through a remote device...independent from any solicitation from the remote device."

The Office Action rejected Claims 25 and 26, under 35 U.S.C. §103(a), as being unpatentable over Kraslavsky in view of Ramberg. However, in the remarks of the Office Action, Claims 25 and 26 were rejected by generally citing to only Kraslavsky.

However, as discussed above, Kraslavsky fails to disclose unsolicited transmission to a remote device. Therefore, Applicants respectfully submit that independent Claim 25, as well as Claim 26, are patentable

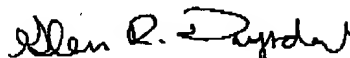
CONCLUSION

In view of the amended claims and the remarks presented above, it is respectfully submitted that all of the present claims of the application are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

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CERTIFICATION OF FACSIMILE TRANSMISSION

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Sheila Hayes

September 9, 2005
Date

CLT01/4744645v1